IN THE HIGH COURT OF BOMBAY AT GOA

STAMP NUMBER (APPLN.) NO. 703 OF 2001

M/S BHARATIYA DEVELOPMENT FINANCE LTD. ....Appellants

MS.AMIRA RAZAQ,

Coram:- P. V. HARDAS, J.

Date:- 12th December, 2003

P.C.:

Notice was issued to the Respondent and as per the Office endorsement dated 17-7-2001, the notice was returned back. Thereafter, notice was re-issued and as per the endorsement dated 6-12-2001, the notice was returned back on the ground that the Respondent was not found at the given address. Similar endorsement dated 21-2-2002 is also to the same effect. Notice was again re-issued to the Respondent and the notice was returned back with the postal remark "party left". Thereafter, the endorsement dated 31-8-2002 states that the notice was returned back on the ground "Not known". Thereafter, time has been sought for taking steps regarding the service of the Respondent. However, till today, no steps have been taken for service of the Respondent.

This Court by its Order dated 21st November, 2003, had granted last

opportunity to the Applicant to serve the Respondent. Despite that, no steps have been taken. In view of this, it is apparent that the Respondent cannot be served and hence, Company Application No.138-O of 2001 is dismissed.

The learned Counsel for the Applicant states that the Ex-Directors have not responded to the various letters of the Applicant and hence steps could not be taken.

Decree be drawn accordingly.

P. V. HARDAS, J.